UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORKX	2011 MAR 24 P
In re:	Chapter 13
PAMELA RODGERS	Case No.: 1-11-40177-608
Debtor(s)	
X	<u>OPPOSITION</u>
_	REPLY TO NOTICE OF
	<u>MOTION</u>

TO THE HONORABLE CARLA E. CRAIG, UNITED STATES BANKRUPTCY JUDGE:

PAMELA RODGERS, chapter 13 Debtor respectfully represents as follows:

- 1. Mr. Macco the Trustee of my Chapter 13 case filed a notice of motion to dismiss my case for the following reasons:
- 2. He claims that I have failed to submit any monthly pre-confirmation payments to the Trustee. I have given Mr. Peter Corey a cashier's check for the amount of \$5,333.33 at the 341 meeting. I am submitting a copy of the cashier's check as **Exhibit A**.
- 3. In addition, he also claims that I failed to provide the Trustee with copies of pay statements from my employer for a sixty (60) day period. Furthermore he claims that I failed to provide copies of the previous year's State and Federal Tax Returns. On February 16, 2011 at the 341 meeting I submitted both State and Federal Income Tax Returns for years 2009 and 2010. I also filed, on January 19, 2011, my paystubs for the last sixty (60) days. All copies were mailed and faxed to Mr. Macco. See **Exhibit B**.
- 4. Moreover, the Trustee claims that I failed to attend the 341 meeting of creditors on February 16, 2011 at 10:00 am. I attended the meeting on February 16, 2011 at 10:00 am and met with Mr. Peter Corey the assistant to Mr. Macco, at which time he adjourned the case to March 17, 2011 at 11:00 am. However, at that meeting he requested additional documents which required that all documents must be received by Mr. Macco before March 2, 2011. I am submitting the letter that was given to me at the 341 meeting by Mr. Corey, stating that I was given an adjournment until March 17, 2011 and giving time to submit the additional documents before March 2, 2011. On February 28, 2011 I faxed all the required documents to Mr. Macco See Exhibit C.
- 5. I am opposing his motion to dismiss my Chapter 13 case because Mr. Macco submitted his motion on February 24, 2011 and at that time I was given an adjournment until March 17, 2011 at 11:00 am. In addition, I was give more time to submit more required documents before March 2, 2011. Mr. Macco has no grounds for filing his motion before the time I was given to comply with all his requirements.

WHEREFORE, the Debtor respectfully requests that this Court deny Mr. Macco's notice of motion and further relief as the Court deems just and proper.

Dated: Brooklyn, NY

March 22, 2011

Pamela Rodgers

33 Vanderbilt Ave. Brooklyn, NY 11205



CHASE

Keep this receipt as a record of your purchase.

FOR YOUR PROTECTION SAVE THIS COPY CASHIER'S CHECK

9809604832

Customer Copy

03/01/2011

Remitter PAMELA A RODGERS

\$ *******5,333.33 ***

Pay To The Order Of New York

MICHAEL J. MACCO AS TRUSTEE

NON NEGOTIABLE

TERMS KEEP THIS COPY FOR YOUR RECORD OF THE TRANSACTION. PLEASE CONTACT CHASE TO REPORT A LOSS OR FOR ANY OTHER INFORMATION ABOUT THIS ITEM.



TRANSMISSION VERIFICATION REPORT

TIME : 02/28/2011 17 NAME : FAX : TEL : SER.# : BROG9J952943 : 02/28/2011 17:17 :

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(Debtor)

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	MICHAEL J. MACCO CHAPTER 13 TRUSTEE 135 Pinelawn Road
	Suite 120 South Melville, NY 11747
	Name Pamola RODGRES
	Date Filed: \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
	Case No 111 - 40177
	341 Date 21611
	YOUR REQUIRED DOCUMENTS MUST BE RECEIVED BY MICHAEL MACCO BEFORE
	Received by: Debtor's attorney
	Debtor(s)
	<u>Greditor</u>
Affidavit of Contribution (include pay stub, work	nt (stating the dollar rental amount)
 □ Corporate State and Federal Tax Returns for _ □ List of Business assets and their fair market va 	<u> </u>
☐ Operating Report (with bank statements and pr ☐ Amended Chapter 13 Plan	
 □ amend to state that revesting of real proper □ amend to state minimum percentage to be 	ents "all tax refunds received by the debtor(s) during
 □ amend to pay all filed claims □ amend to pledge all proceeds of personal in 	
☐ other changes to plan <u>And Lyang has</u> ☐ Amended Schedules	
☐ amend schedules I & J☐ amend statement of financial affairs	
 ☐ amend to add creditor(s) ☐ A written assignment of debtor's per 	sonal injury action acknowledged by personal injury attorney
☐ other changes to schedules	including gas/oil, water, telephone, electric, cable
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□ Provide documents set forth in Local Bankrup	tcy Rule 2003-1

Your failure to provide the above documents to the Chapter 13 Trustee on or before may result in the dismissal of your case. Please include your CASE NUMBER on all money orders and documents.